

**State of Maine
130th Legislature
Joint Standing Committees on Appropriations and Financial Affairs and on the Judiciary**

**Testimony of Charles F. Dingman
For the Justice Action Group**

Supporting

LD 258 "An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025"

Sponsored by Representative Melanie Sachs

February 27, 2023

Senator Rotundo, Representative Sachs, Senator Carney, Representative Moonen, and members of the Joint Standing Committees on Appropriations and Financial Affairs and the Judiciary, I am Charlie Dingman, a lawyer with the firm of Kozak & Gayer. I am here today in my role as a volunteer with the Legislative Committee of the Justice Action Group, a judge-led coalition including Maine's 7 legal aid providers and a cross-section of lawyers and others who support equal access to justice by supporting civil legal aid for low-income Mainers.¹ The Justice Action Group thanks the Governor for the continued appropriation to the Maine Civil Legal Services Fund that she has proposed but urges that the final budget reflect a greater investment in addressing the vast unmet need for civil legal aid.

Justice for all requires investment in both criminal and civil legal services. In criminal cases, the accused has a right to a lawyer. Like criminal cases, civil legal problems can threaten people's livelihoods, health, or families in profound ways, yet there is no right to counsel. Civil legal aid provides help for Maine people who cannot afford a lawyer but face life-changing legal challenges such as evictions and other housing crises, domestic violence, child protection and custody issues, access to health care, hunger, and many more issues requiring professional guidance through the legal system.

Maine's system of civil legal aid consists of a well-coordinated, innovative, and hardworking group of legal service providers, funded mainly through a patchwork of sources, including generous donations from private practice lawyers, surcharges on court fees, interest on lawyer trust accounts, and the like. The JAG is grateful that the Governor's Biennial Budget continues an annual appropriation of \$1.3 million from the General Fund to the Maine Civil Legal Services Fund,² first enacted last year for FY 2023. This baseline funding is critically important in helping legal aid providers maintain operations despite the impacts of the pandemic and to fill funding gaps as other sources of support have declined, but it is not sufficient to meet

¹ The Justice Action Group is chaired by Associated Maine Supreme Court Justice Andrew Mead and is described more fully here: <https://justicemaine.org/grants-and-programs/justice-action-group/>

² Part A of the Biennial budget document at p. A-483.

the current and growing needs of Maine's residents and court system. Funding for civil legal services remains at a level that precludes delivering representation to most of those who need it to protect the vital interests I described earlier. For decades, the Justice Action Group has urged that the enormous unmet need for these services calls for sustained support from state government through direct appropriations to the Maine Civil Legal Services Fund. It is commendable that, at last, the budget includes a first step in that direction, but far more investment is needed.

As you deliberate on the totality of this biennial budget, JAG asks that you honor the spirit of this vital first step by recognizing that to truly meet the acute need for civil legal aid, *a substantial increase in General Fund support* is essential. LD 564, sponsored by Senator Carney, will be heard by the Judiciary Committee next month. That bill addresses the ongoing need by proposing an investment of \$3.9M in FY 2024 and \$7.8M in FY 2025. An investment at this level would:

- ✓ Preserve existing legal aid capacity (which will otherwise decline to an anticipated loss in ARPA funds at the end of this year).
- ✓ Increase intake capacity and provide legal help to at least 10,640 more households each year, while addressing the legal needs of at least 20,000 households through impact litigation and administrative advocacy.
- ✓ Increase education and outreach efforts, expand client-facing technology tools, and improve self-help options to reach and assist even more people in need of legal help.
- ✓ Begin to move Maine toward an adequate number of legal aid attorneys. The National Justice Index calls for 10 legal aid lawyers for every 10,000 low income people. Maine currently has fewer than 2 lawyers per 10,000. The proposed FY 2025 appropriation would bring Maine to about 3.6 attorneys per 10,000 low-income persons.

The resources are available now to begin this commitment to access to justice for all. The JAG asks that this Legislature take that important step.

Thank you for your time and attention today. I would be pleased to respond to any questions now or via the contact information provided below.

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